

JUN 13 2007Appl. No 10/725,887
Reply to Office action of 01/12/2007

Page 4

REMARKS

Applicant has received a Notice of Non-Compliant Amendment because of typographical errors in the claims resulting in Claims 3-5, 7, and 10 being dependant on Claim 0. Applicant has corrected the typographical errors so that the cited claims depend from Claim 1 as originally filed. Applicant requests that this response now be held compliant.

The pending claims have been subjected to a restriction requirement under 35 U.S.C. §121 which requires an election between Group I containing Claims 1-10 drawn to an apparatus and Group II containing Claims 11-21 drawn to a method of treating fluid. Applicant hereby affirms their telephonic election to prosecute Group I containing Claims 1-10 and have cancelled non-elected Claims 11-21.

Claims 1-10 stand provisionally rejected under the "judicially created doctrine of obviousness type double patenting" as being unpatentable over Claims 1-12 of co-pending Application No. 10/337,070 in view of Guan et al. US 6,149,882. Applicant notes that the cited reference, co-pending Application No. 10/337,070, is commonly owned by the assignee of the present application and has at all times been so owned. Consequently, the rejection may be cured by the submission of a Terminal Disclaimer which applicant has attached hereto. Applicant respectfully requests the provisional rejection promulgated under the judicially created doctrine of obviousness type double patenting be withdrawn.

Claims 1-10 stand rejected under 35 U.S.C. §102(b) as being anticipated by US 6,149,882. Applicant traverses the rejection and asserts that each and every element of applicant's claimed invention, as amended, is not taught in the cited reference.

Applicant has amended Claim 1 to clarify that each chamber has a separate and independent heating element. No new matter has been added by the amendment as shown in paragraph [0040] of applicant's specification. With each chamber having its own heating element, the temperature in each chamber may be individually and independently controlled. The '882 patent fails to teach a plurality of heating elements wherein each heating element heats the material in a corresponding single chamber of the plurality of chambers. With the cited reference failing to teach a specific claimed element (as

Appl. No 10/725,887
Reply to Office action of 01/12/2007

Page 5

amended), the anticipation rejection cannot stand and applicant respectfully requests that the rejection be withdrawn.

Accordingly, in view of the above amendments and remarks, this application is now believed to be in a condition for an allowance of all remaining claims and such action is respectfully requested.

Respectfully submitted,



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